

- 2) The state program makes available adequate procedures and remedies for enforcing the requirements of the state program; and
- 3) Where a state program exceeds the mandatory minimum standards contained in §64.604, the state establishes that its program in no way conflicts with federal law.

New Jersey is currently certified by the FCC and by this letter, seeks to obtain continuation of certification after the July 26, 2003 expiration of its current certification. This request is filed pursuant to the FCC's recent Public Notice DA 02-1006 released May 1, 2002.

By way of background, New Jersey chose to establish a coordinated statewide relay system to be in the best interests of its residents. The system began service on December 2, 1991, and is currently handling over 85,000 intrastate calls per month. The system is currently being funded by regulated, incumbent local exchange carriers and those interexchange carriers whose revenues exceed one half of one percent of the total intrastate operating revenue of all carriers in the State.

As BPU Secretary, the undersigned hereby declares that the New Jersey TRS program satisfies the FCC's rules for the provision of TRS programs as described in Attachments A and B.

Attachment A itemizes the FCC requirements with respect to the operational, technical and functional standards for TRS operation. It includes specific reference to the applicable FCC standards, as well as an affirmative statement of compliance, descriptive performance details and comments with regard to each applicable standard. Attachment B provides a description of certain TRS program features, the provision of which was agreed to by the State and the service provider. In addition to those features shown here, we expect to be offering access to internet protocol relay and video relay in the near future.

New Jersey's TRS program meets all operational minimum standards in that the provider's communications assistants have been trained to competently handle any type of call normally provided by common carriers including emergency calls, while meeting the specialized needs of individuals with hearing and speech disabilities. The communications assistants can type 60 words per minute or more, receive full cross-cultural training and agree to abide by a code of ethics which ensures conversational content integrity and complete confidentiality.

New Jersey's program also meets all technical minimum standards. It employs ASCII (at baud rates of 300-2400 bps), Baudot (at a baud rate of 45.5 bps) and Turbo codes (at a baud rate of 100 bps). Over eighty-five percent (85%) of all calls are answered within 10 seconds.